

**Before the  
FEDERAL COMMUNICATIONS COMMISSION  
Washington, D.C. 20554**

In the Matter of	)	
	)	
Petition for Rulemaking by Sprint Corporation	)	CG Docket 03-123
To Establish a New Ratemaking	)	RM-11820
Methodology for IP Relay Service	)	

**REPLY COMMENTS OF CONSUMER GROUPS AND RERC**

**Telecommunications for the Deaf and Hard of Hearing, Inc.  
National Association of the Deaf  
Association of Late-Deafened Adults, Inc.  
Hearing Loss Association of America  
Cerebral Palsy and Deaf Organization  
American Association of the DeafBlind  
Universal Interface & Information Technology Access-RERC**

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Dated: December 21, 2018

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Telecommunications for the Deaf and Hard of Hearing, Inc., National Association of the Deaf, Association of Late-Deafened Adults, Inc., Hearing Loss Association of America, Cerebral Palsy and Deaf Organization, and American Association of the DeafBlind (collectively “Consumer Groups”) and Universal Interface & Information Technology Access RERC (together with the Consumer Groups, the “Commenters”) submit these reply comments in response to the Federal Communication Commission’s (“Commission”) Public Notice released on November 7, 2018,<sup>1</sup> seeking comments and reply comments on a Petition for Rulemaking filed by Sprint Corporation (“Sprint”) to establish a new ratemaking methodology for IP Relay

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<sup>1</sup> Consumer and Governmental Affairs Bureau Seeks Comment on Petition for Rulemaking by Sprint Corporation to Establish a New Ratemaking Methodology for IP Relay Service, CG Docket No. 03-12; RM-11820, *Public Notice*, DA 18-1137 (rel. Nov. 7, 2018) (*Public Notice*).

Service<sup>2</sup> in which Sprint proposes a hybrid rate methodology that is based on a combination of the Multistate Average Rate Structure and provider costs to set future rates for IP Relay service.<sup>3</sup>

In response to the Public Notice, only T-Meeting Global AB (“T-Meeting”) appears to have filed Comments.<sup>4</sup> T-Meeting suggests that support for legacy IP Relay services should be abandoned in favor of IP Relay services based in ITU-T F.703 Total Communications.<sup>5</sup> While Commenters appreciate and applaud the value of Total Communications as another option for TRS services, Commenters disagree that support for IP Relay should be abandoned. Abandoning IP Relay would be contrary to the functional equivalency principle identified by the Consumer Groups in their *TRS Policy Statement* that “TRS users must have a wide selection of choices regarding equipment and software interfaces as well as hardware options, *TRS program services* and *methods* of making or receiving relay calls.”<sup>6</sup> Similarly, Objective 4.3 of the TRS Policy Statement states “An array of services and features that meet diverse communication needs and provide an ‘equivalent conversation experience’ with all forms of TRS is fostered to offer a wide range of options comparable to those provided to hearing callers, such as prompt, comprehensive customer care and service for TRS users.”<sup>7</sup> Abandoning support, or even adequate support as described below, for IP Relay will thwart this objective.

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<sup>2</sup> Petition for Rulemaking of Sprint Corporation (filed Nov. 1, 2018), <https://ecfsapi.fcc.gov/file/1101203244827/Sprint%20IP%20Relay%20Rate%20Petition%20-%20REDACTED%20%5BAS%20FILED%5D%20-%2011.1.2018.pdf> (Sprint Petition).

<sup>3</sup> Public Notice at 1 (citing Sprint Petition at 1, 2).

<sup>4</sup> Comments on Sprint Petition for Rulemaking to Reform the Commission’s Rulemaking Methodology for IP Relay Service, T-Meeting Global AB (filed Nov. 20, 2018).

<sup>5</sup> *Id.*

<sup>6</sup> See Consumer Groups’ TRS Policy Statement – Functional Equivalency of Telecommunications Relay Services: Meeting the Mandate of the Americans with Disabilities Act at 2 (Apr. 12, 2011) (emphasis added) (“*TRS Policy Statement*”), available at: <https://ecfsapi.fcc.gov/file/7021748016.pdf>.

<sup>7</sup> *TRS Policy Statement* at 9.

IP Relay is the preferred method of communication for some deaf, hard of hearing, late-deafened and particularly deaf-blind individuals and those with additional disabilities, as well as some of their hearing contacts. As Sprint noted,<sup>8</sup> the Commission found that “certain categories of consumers currently rely upon IP Relay service as their sole or primary means of communicating by telephone, including consumers who are deaf-blind or have speech or additional disabilities, as well as deaf or severely hard-of-hearing consumers who do not know or are not comfortable with the use of American Sign Language.”<sup>9</sup> Importantly, many hearing and those with hearing or other physical challenges prefer to use IP Relay exclusively or in certain situations because the message typed on the computer is to be relayed exactly word by word by the Communication Assistant (CA) in voice, which is very important, particularly for conversations that require precise wording. On the other hand, in conversations via Video Relay Service or Captioned Telephone Service (landline or IP), CA summarize the message as accurately as possible, but not word for word. Also, some in the deaf-blind community rely solely on IP Relay because they cannot use any other forms of TRS or do not know how to. Similarly, some with mobility disabilities may rely on IP Relay due to a physical limitation or because they are not able to sign clearly in ASL to be able to use VRS. Therefore, the Commission must maintain adequate support for IP Relay service and not continue or create conditions that could result in the last IP Relay service provider exiting the market.<sup>10</sup>

Without taking a position on the specific methodology for support, Commenters insist that any rate methodology for IP Relay must continue to support all appropriate costs of the

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<sup>8</sup> Sprint Petition at 1.

<sup>9</sup> *Telecommunications Relay Services and Speech-to-Speech Services for Individuals with Hearing and Speech Disabilities*, Order, 29 FCC Rcd 16273, ¶ 7 (2014); Sprint Petition at 1.

<sup>10</sup> See Sprint Petition at 4 (stating “Sprint can only commit to providing IP Relay service through June 30, 2019 unless the Commission takes action to adopt a compensatory rate for this vital service.” (citations omitted)).

service along with an appropriate profit margin as determined by the FCC. Further, the rates for IP Relay also must continue to support research and development for maintenance and improvements to IP Relay service. Without support for research and development, the Commission would not advance Objective 3.2 of the *TRS Policy Statement*, which requires that “[a]n ongoing effort continues to ‘raise the bar’ in technological design and operations efficiency.”<sup>11</sup> Commenters urge the Commission to refer the matter to the iTRS Fund Advisory Council for an expedited review of, and recommendation on, the methodology.

For these reasons, Commenters ask that the Commission adequately support IP Relay service so that it remains an option for so many consumers that depend on it.

Respectfully submitted,

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<sup>11</sup> *TRS Policy Statement* at 9.

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